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SAN ANTONIO BROTHERS SENTENCED TO FEDERAL PRISON FOR BANK FRAUD

(SAN ANTONIO, TEXAS) United States District Judge Fred Biery today sentenced 31-year-old **FRED DE LOS SANTOS** to 7½ years in federal prison today for committing bank fraud. Judge Biery also sentenced Fred De Los Santos' brother, 29-year-old **RICKY DE LOS SANTOS**, to one year and nine months in federal prison for committing bank fraud.

According to documents filed in this case, the De Los Santos brothers operated a scheme whereby they obtained legitimate checks drawn on the actual bank accounts of businesses in the San Antonio, Texas, area. One of the defendants would then create false and fraudulent checks to be drawn on the actual bank accounts of those businesses. The defendants then recruited others to cash the false and fraudulent checks, which would be made payable in the name of the person they had recruited to cash the check, at the banks on which the checks were purportedly drawn. The defendants then received the proceeds of the cashed false and fraudulent checks.

In sentencing Fred De Los Santos, the judge departed upward from the federal sentencing guidelines otherwise applicable to the case. The judge did so after finding that after Fred De Los Santos entered his guilty plea, he had once again engaged in the same fraudulent activity which was the subject of the indictment and guilty plea. Fred De Los Santos pled guilty on December 14, 2001. Ricky De Los Santos pled guilty on November 30, 2001. Both defendants were indicted by a federal grand jury on May 2, 2001.

Each defendant will have to spend three years on supervised release following their respective prison terms. In addition, each was ordered to pay restitution to the victim financial institutions in the amount of \$320,000, and each was ordered to pay a \$100 special assessment for the Victims of Crimes Fund.

The case was jointly investigated by the United States Secret Service and the San Antonio Police Department. Assistant United States Attorney William R. Harris prosecuted this case on behalf of the Government.

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